

NOTICE OF INTENTION TO ESTABLISH THE SPECIALLY FUNDED SPECIAL SERVICE DISTRICT AND NOTICE OF PUBLIC HEARING

NOTICE is hereby given to all interested persons that on the 9th day of February 2009, the Washington County Commission adopted a Resolution proposing the establishment of the Specially Funded Special Service District. The Resolution provided for the holding of a public hearing on the proposal.

The boundary and service area of the proposed special service district is all of the unincorporated areas of Washington County.

The public hearing shall be held on the 23rd day of March, 2009, at 4:00 p.m., in the Sunbrook Room at the Dixie Center, located at 1835 Convention Center Drive, St. George, Utah. Any interested person may protest the proposal either orally at said public hearing, or in a written protest filed with the Washington County Clerk/Auditor at 197 East Tabernacle, St. George, UT 84770. All written protests must be filed within 15 days after the conclusion of said public hearing and all withdrawals or cancellations of withdrawals must be filed within 30 days after the conclusion of said public hearing. The Washington County Commission will hear all interested persons desiring to be heard and will give full consideration to all protests. If special accommodations are required, please call Christine Hall (634-5700) with reasonable advance notice.

If adopted, taxes may be annually levied upon all taxable property within the proposed Specially Funded SSD to fund the service of improving public roads in the unincorporated areas of Washington County, and fees and charges may be imposed to pay for all or a part of the services to be provided by the Specially Funded SSD. However, it is the intent of the Washington County Commission that the source of all funding for the above-stated services shall be the federal Secure Rural School Funds, under Utah Code Annotated, § 51-9-603 (1953, as amended), and that the District be dissolved when the District no longer receives federal Secure Rural School funds.

Any written protest made on behalf of a corporation owning property within the proposed Specially Funded SSD shall be signed by the president, vice president, or any duly authorized agent of the corporation. Where property within the proposed Specially Funded SSD is owned by more than one person or entity, all owners holding title to the property must join in the signing of the protest in order for it to be considered in the thirty-three percent (33%) calculation discussed below.

If, within 30 days after the conclusion of said public hearing, more than thirty-three percent (33%) of the qualified voters of the proposed Specially Funded SSD, or the owners of over thirty-three percent (33%) of the taxable value of the taxable property within the proposed Specially Funded SSD, file written protests against the proposal, the Washington County Commission is required by law to abandon the proposal.

After the 30-day protest period closes, the Washington County Commission shall adopt a resolution either establishing the Specially Funded SSD or abandoning the

proposal. Any person who shall have timely filed a written protest and who is a qualified voter within the Specially Funded SSD, may petition the district court within 30 days after the adoption of said resolution for a writ of review. The ground for such a petition is limited to a claim that the procedures used to establish the Specially Funded SSD violated the law. Any person who shall have timely filed a written protest and who is an owner of property included within the boundary of the special service district, may petition the district court within 30 days after the adoption of said resolution for a writ of review. The grounds for such a petition is limited to: (1) a claim that the petitioner's property will not be benefited by the services to be provided by the Specially Funded SSD; and (2) a claim that the procedures used to establish the Specially Funded SSD violated the law.

FAILURE TO TIMELY FILE A WRITTEN PROTEST PRECLUDES THE PROTEST FROM BEING INCLUDED IN THE 33% CALCULATION DISCUSSED ABOVE AND THE PROTESTANT FROM FILING A PETITION FOR A WRIT OF REVIEW. FAILURE TO TIMELY FILE A PETITION FOR WRIT OF REVIEW FORECLOSES ANY RIGHTS TO THEREAFTER OBJECT TO THE ESTABLISHMENT OF THE SPECIALLY FUNDED SSD.

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